



## NOTICE OF TEXT

[Authority G.S. 150B-21.2(c)]

OAH USE ONLY

VOLUME:

ISSUE:

CHECK APPROPRIATE BOX:

- ☒ Notice with a scheduled hearing  
☐ Notice without a scheduled hearing  
☐ Republication of text. Complete the following cite for the volume, issue, and date of previous publication, as well as blocks 1 - 4 and 7 - 13. If a hearing is scheduled, complete block 5.  
Previous publication of text was published in Volume:                      Issue:

1. Rule-Making Agency: N.C. Private Protective Services Board

2. Agency website postings:

- Text of proposed rule posted at: [www.ncdoj.gov](http://www.ncdoj.gov)
- Explanation and reason for proposed rule posted at: [www.ncdoj.gov](http://www.ncdoj.gov)
- Federal Certification posted at:
- Instructions for oral and written comments posted at: [www.ncdoj.gov](http://www.ncdoj.gov)
- Fiscal Note if prepared posted at:

3. Proposed Action -- Check the appropriate box(es) and list rule citation(s) beside proposed action:

☒ **ADOPTION:** 12 NCAC 07D .1401, .1402, .1403, .1404, .1405, .1406, .1407, .1501, .1502, .1503, .1504, .1505, .1506, and .1507, and .0912

☒ **AMENDMENT:** 12 NCA C 07D .0105, .0902, .0904, .0909, .0910, .0911, and .1106

☒ **REPEAL:** 12 NCAC 07D .1108

4. Proposed effective date: August 1, 2012

5. Is a public hearing planned? ☒ Yes ☐ No

If yes: Public Hearing date: April 17, 2012

Public Hearing time: 2:00 pm

Public Hearing Location: 4901 Glenwood Avenue, Suite 200, Raleigh, NC 27612

6. If no public hearing is scheduled, provide instructions on how to demand a public hearing:

7. Explain Reason For Proposed Action: The reason for the proposed rule changes is to establish requirements for two additional types of registration, armed and unarmed armored car service guard registrations. The amendments to the rules will allow current trainers to train for armed and unarmed armored car service registration as specified in the rule amendments and to update the photograph requirements for trainers. The amendment to 12 NCAC 07D .0105 is to delete OC spray from the rule because the Board does not regulate OC spray.

8. The procedure by which a person can object to the agency on a proposed rule: Objections to the proposed rule changes shall be submitted by the end of the comment period in writing to Anthony Bonapart, Deputy Director, Private Protective Services Board, 4901 Glenwood Avenue, Suite 200, Raleigh, NC 27612,

**Procedure for Subjecting a Proposed Rule to Legislative Review:** If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

9. The person to whom written comments may be submitted on the proposed rule:

Name: Anthony Bonapart, PPSB Deputy Director

Address: 4901 Glenwood Avenue, Suite 200, Raleigh, NC 27612

Phone (optional):

Fax (optional):

E-Mail (optional):

10. Comment Period Ends: June 1, 2012

11. Fiscal impact (check all that apply).

If this form contains rules that have different fiscal impacts, list the rule citations beside the appropriate impact.

- ☐ State funds affected
- ☐ Environmental permitting of DOT affected  
Analysis submitted to Board of Transportation
- ☐ Local funds affected  
Date submitted to OSBM:
- ☐ Substantial economic impact ( $\geq$ \$500,000)
- ☐ Approved by OSBM
- ☒ No fiscal note required

12. Rule-making Coordinator: M. Denise Stanford

Address: P.O. Box 1351, Raleigh, NC 27602-1351

Phone: (919) 828-0731

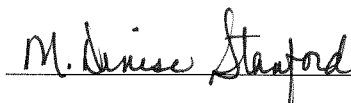
E-Mail: [dstanford@bdixon.com](mailto:dstanford@bdixon.com)

Agency contact, if any:

Phone:

E-mail:

13. Signature of Agency Head\* or Rule-making Coordinator:



\*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.

Typed Name: M. Denise Stanford

Title: Rule-making Coordinator

1                    **SECTION .1400 – ARMORED CAR SERVICE GUARD REGISTRATION (UNARMED)**

2  
3       12 NCAC 07D. 1401 is proposed for adoption as follows:

4  
5       **12 NCAC 07D . 1401       APPLICATION FOR UNARMED ARMORED CAR SERVICE GUARD**  
6       **REGISTRATION**

7  
8       (a) Each armored car employer or his designee shall submit and sign an application form for the registration of each  
9       employee to the Board. This form shall be accompanied by:

- 10                (1) one set of classifiable fingerprints on an applicant fingerprint card;  
11                (2) two head and shoulders color digital photographs of the applicant in JPG format of acceptable  
12                quality for identification, taken within six months prior to submission and submitted preferably by  
13                e-mail to PPSASL-Photos@ncdoj.gov or by compact disc;  
14                (3) certified statement of the result of a criminal records search from the appropriate governmental  
15                authority housing criminal record information or clerk of superior court in each county where the  
16                applicant has resided within the immediately preceding 48 months, and if any address history  
17                contains an out of state address, a criminal record check from the current Board approved criminal  
18                record check provider;  
19                (4) the applicant's non-refundable registration fee; and  
20                (5) actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to  
21                cover the cost of criminal record checks performed by the State Bureau of Investigation, collected  
22                by the Private Protective Services Board.

23       (b) The employer of each applicant for registration shall give the applicant a copy of the application and shall retain  
24       a copy of the application in the individual's personnel file in the employer's office.

25       (c) The applicant's copy of the application shall serve as a temporary registration card which shall be carried by the  
26       applicant when he is within the scope of his employment and which shall be exhibited upon the request of any law  
27       enforcement officer or authorized representative of the Board.

28       (d) A statement signed by a certified trainer that the applicant has successfully completed the training requirements  
29       of 12 NCAC 7D .1407 shall be submitted to the Director with the application.

30       (e) A copy of the statement specified in Paragraph (d) of this Rule shall be retained by the licensee in the individual  
31       applicant's personnel file in the employer's office.

32  
33       History Note:     Authority G.S. 74C-3; 74C-5  
34                             Eff.

1 12 NCAC .07D .1402 is proposed for adoption as follows:

2  
3 **12 NCAC 07D .1402 FEES FOR UNARMED ARMORED CAR SERVICE GUARD REGISTRATION**  
4

5 (a) Fees for unarmed armored car service guards are as follows:

6 (1) thirty dollar (\$30.00) non-refundable initial registration fee;

7 (2) thirty dollar (\$30.00) annual renewal, or reissue fee;

8 (3) fifteen dollar (\$15.00) transfer fee; and

9 (4) twenty-five dollars (\$25.00) late renewal fee to be paid within 90 days from the date the registration expires

10 and to be paid in addition to the renewal fee.

11 (b) Fees shall be paid in the form of a check or money order made payable to the Private Protective Services Board.  
12

13 *History Note: Authority G.S. 74C-3; 74C-5; 74C-9;*

14 *Eff.*  
15  
16

1 12 NCAC 07D .1403 is proposed for adoption as follows:  
2

3 **12 NCAC 07D .1403 MINIMUM STANDARDS FOR UNARMED ARMORED CAR SERVICE GUARD**  
4 **REGISTRATION**  
5

6 An applicant for registration shall:

7 (1) be at least 18 years of age;

8 (2) be a citizen of the United States or a resident alien;

9 (3) be of good moral character and temperate habits. Any of the following within the last five years  
10 shall be prima facie evidence that the applicant does not have good moral character or temperate  
11 habits: conviction by any local, state, federal, or military court of any crime involving the illegal  
12 use, carrying, or possession of a firearm; conviction of any crime involving the illegal use,  
13 possession, sale, manufacture, distribution, or transportation of a controlled substance, drug,  
14 narcotic, or alcoholic beverage, conviction of a crime involving felonious assault or an act of  
15 violence; conviction of a crime involving unlawful breaking and/or entering, burglary, larceny,  
16 any offense involving moral turpitude; or a history of addiction to alcohol or a narcotic drug;  
17 provided that, for purposes of (3) of this Rule, "conviction" means and includes the entry of a plea  
18 of guilty, plea of no contest, or a verdict of guilty;

19 (4) not have been declared by any court of competent jurisdiction incompetent by reason of mental  
20 disease or defect; or not have been involuntarily committed to an institution for treatment of  
21 mental disease or defect by a district court judge. When an individual has been treated and found  
22 to have been restored by a psychiatrist, the Board will consider this evidence and determine  
23 whether the applicant meets the requirements of this Paragraph; and

24 (5) not have had a revocation of a registration.

25 *History Note: Authority G.S. 74C-3; 74C-5*

26 *Eff.*  
27

1 12 NCAC 07D .1404 is proposed for adoption as follows:

2 **12 NCAC 07D .1404 INVESTIGATION FOR UNARMED ARMORED CAR SERVICE GUARD**  
3 **REGISTRATION**  
4

5 (a) After the administrator receives a complete application for registration, the administrator may cause to be made  
6 such further investigation of the applicant as deemed necessary.

7 (b) Any denial of an applicant for registration by the administrator shall be subject to review by the Board.

8  
9 *History Note: Authority G.S. 74C-3; 74C-5*

10 *Eff.*  
11

1 12 NCAC 07D .1405 is proposed for adoption as follows:  
2

3 **12 NCAC 07D .1405 UNARMED ARMORED CAR SERVICE GUARD REGISTRATION**  
4 **IDENTIFICATION CARDS**  
5

6 (a) The registration identification card shall be carried by the registrant when performing the duties of a private  
7 protective services employee.

8 (b) The registration identification card shall be exhibited upon the request of any law enforcement officer or any  
9 other authorized representative of the Board.

10 (c) Registration identification card holders shall immediately notify the Board upon receipt of any information  
11 relating to the holder's eligibility to continue holding such a card.

12 (d) The guard transfer form and fee shall be submitted to the Board by the employer within 10 days of the  
13 beginning of employment.

14 (e) Upon revocation or suspension by the Board, a holder shall return the registration identification card to the  
15 administrator within 10 days of the date of the revocation or suspension.  
16

17 *History Note: Authority G.S. 74C-3; 74C-5;*

18 *Eff.*  
19

1 12 NCAC 07D .1406 is proposed for adoption as follows:

2  
3 **12 NCAC 07D .1406 RENEWAL OR REISSUE OF UNARMED ARMORED CAR SERVICE GUARD**  
4 **REGISTRATION**  
5

6 (a) Each applicant for renewal of a registration identification card or his employer, shall complete a form provided  
7 by the Board. This form shall be submitted not less than 30 days prior to the expiration of the applicant's current  
8 registration and shall be accompanied by:

9 (1) statements of any criminal record obtained from the appropriate authority in each area where the  
10 applicant has resided within the immediately preceding 12 months or a criminal record check from  
11 the current Board approved criminal record check provider; and

12 (2) the applicant's renewal fee.

13 (b) Each applicant for reissue of a registration identification card shall complete, and his employer shall sign a form  
14 provided by the Board. This form shall be submitted to the Board and accompanied by:

15 (1) two recent head and shoulders color digital photographs of the applicant in JPG format of  
16 acceptable quality for identification, taken within six months prior to submission and submitted  
17 preferably by e-mail to PPSASL-Photos@ncdoj.gov or by compact disc; and

18 (2) the applicant's reissue fee.

19 (c) The employer of each applicant for a registration renewal or reissue shall give the applicant a copy of the  
20 application which will serve as a record of application for renewal or reissue and shall retain a copy of the  
21 application in the individual's personnel file in the employer's office.

22 (d) Members of the armed forces whose registration is in good standing and to whom G.S. 105-249.2 grants an  
23 extension of time to file a tax return are granted that same extension of time to pay the registration renewal fee and  
24 to complete any continuing education requirements prescribed by the Board. A copy of the military order or the  
25 extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue must be  
26 furnished to the Board.

27 *History Note: Authority G.S. 74C-3; 74C-5;*

28 *Eff.*  
29



1 12 NCAC 07D .1407 is proposed for adoption as follows:

2  
3 **12 NCAC 07D .1407 TRAINING REQUIREMENTS FOR UNARMED ARMORED CAR SERVICE**  
4 **GUARDS**  
5

6 (a) Applicants for an unarmed armored car service guard registration shall complete a basic training course for  
7 unarmed armored car service guards within 30 days from the date of permanent hire. The course shall consist of a  
8 minimum of 16 hours of classroom instruction including:

9 (1) The Security Officer in North Carolina -- (minimum of one hour);

10 (2) Legal Issues for Security Officers -- (minimum of three hours);

11 (3) Deportment – (minimum of one hour);

12 (4) Armored Security Operations – (minimum of five hours);

13 (5) Emergency Situations – (minimum of three hours);

14 (6) Safe Driver Training – (minimum of three hours);

15 A minimum of four hours of classroom instruction shall be completed within 20 calendar days of a probationary or  
16 regular armored car service guard being placed on a duty station. These four hours shall include The Security  
17 Officer in North Carolina and Legal Issues for Security Officers. Unarmed armored car service guard training is not  
18 transferable to qualify as unarmed security guard training.

19 (b) Licensees shall submit the name and resume for a proposed certified unarmed trainer to the Director for Board  
20 Approval.

21 (c) Training shall be conducted by a Board certified unarmed trainer. A Board approved lesson plan covering the  
22 training requirements in 12 NCAC 07D .1407(a) shall be made available to each trainer. The Board shall approve  
23 other media training materials that deliver the training requirements of 12 NCAC 07D .1407(a).

24 (d) The 16 hours of training may be delivered interactively under the following conditions:

25 (1) The training is presented by a Private Protective Services Board certified unarmed trainer.

26 (2) Each student is given a copy of the PPS unarmed armored car service guard training manual to use  
27 for the duration of the 16 hour training course.

28 (3) The technology used allows the trainer to see the students and the students to see the trainer in real  
29 time during the training.

30 (4) All students in each classroom are able to see and read the screen or monitor, and they must be  
31 able to clearly hear and understand the audio presentation. All monitors used in each classroom  
32 must be at least 32 inches wide.

33 (5) The technology used is of sufficient quality so that the training audio and video is done smoothly  
34 and without interruption.

35 (6) Each student is taught to use the audio and video equipment in their classroom prior to the start of  
36 the 16 hour unarmed security officer training course.

37 (7) The total number of students receiving the interactive training at one time does not exceed 35  
38 students.

1       (8)     All training not included in the NC Private Protective Services unarmed armored car service guard  
2             training manual is done either before or after the 16 hour unarmed armored car service guard  
3             training.

4       (9)     The Director of Private Protective Services is notified five days prior to training of the location of  
5             each classroom, name and location of the certified trainer, and the number of students who will be  
6             present.

7       (10)    The sponsoring agency allows the Director or designee access via computer of the training during  
8             the time that it is taking place.

9  
10    *History Note:*     *Authority G.S. 74C-3; 74C-5;*

11                 *Eff.*  
12

1 **SECTION .1500 – ARMED ARMORED CAR SERVICE GUARDS FIREARM REGISTRATION PERMIT**

2  
3 12 NCAC 07D .1501 is proposed for adoption as follows:

4  
5 **12 NCAC 07D .1501 APPLICATION/ARMED ARMORED CAR SERVICE GUARD FIREARM**  
6 **REGISTRATION PERMIT**  
7

8 (a) Each armored car employer or his designee shall submit and sign an application form for the registration of each  
9 armed armored car service guard applicant to the Board. This form shall be accompanied by:

- 10 (1) one set of classifiable fingerprints on an applicant fingerprint card;  
11 (2) two head and shoulders color digital photographs of the applicant in JPG format of acceptable  
12 quality for identification, taken within six months prior to submission and submitted preferably by  
13 e-mail to PPSASL-Photos@ncdoj.gov or by compact disc;  
14 (3) certified statement of the result of a criminal records search from the appropriate governmental  
15 authority housing criminal record information or clerk of superior court in each county where the  
16 applicant has resided within the immediately preceding 48 months, and if any address history  
17 contains an out of state address, a criminal record check from the current Board approved criminal  
18 record check provider;  
19 (4) the applicant's non-refundable registration fee;  
20 (5) a statement signed by a certified trainer that the applicant has successfully completed the training  
21 requirements of 12 NCAC 07D .1507; and  
22 (6) a certification by the applicant that he or she is at least 21 years of age.

23 (b) The employer of each applicant for registration shall give the applicant a copy of the application and shall retain  
24 a copy of the application in the individual's personnel file in the employer's office.

25 (c) The applicant's copy of the application shall serve as a temporary registration card which shall be carried by the  
26 applicant when he is within the scope of his employment and which shall be exhibited upon the request of any law  
27 enforcement officer or authorized representative of the Board.

28 (d) Applications submitted without proof of completion of a Board approved firearms training course shall not serve  
29 as temporary registration cards unless the armored car employer has obtained prior approval from the Director. The  
30 Director shall grant prior approval if the armored car employer provides proof satisfactory to the Director that the  
31 applicant has received prior firearms training.

32 (e) The provisions of Paragraphs (a), (b), and (c) of this Rule also apply to any employee whose employment is  
33 terminated within 30 days of employment.  
34

35 *History Note: Authority G.S. 74C-3; 74C-5; 74C-13;*

36 *Eff.*  
37

1 12 NCAC 07D .1502 is proposed for adoption as follows:  
2

3 **12 NCAC 07D .1502 FEES FOR ARMED ARMORED CAR SERVICE GUARD FIREARM**  
4 **REGISTRATION PERMIT**  
5

6 (a) Fees for armed armored car service guard firearm registration permits are as follows:

7 (1) thirty dollars (\$30.00) non-refundable initial registration fee;

8 (2) thirty dollars (\$30.00) annual renewal, or reissue fee; and

9 (3) fifteen dollar (\$15.00) application fee.

10 (b) Fees shall be paid in the form of a check or money order made payable to the Private Protective Services Board.

11 *History Note: Authority G.S. 74C-3; 74C-5; 74C-9; 74C-13;*

12 *Eff.*  
13

1 12 NCAC 07D .1503 is proposed for adoption as follows:  
2

3 **12 NCAC 07D .1503 MINIMUM STDS/ARMED ARMORED CAR SERVICE GUARD FIREARM**  
4 **REGISTRATION PERMIT**

5 Applicants for an armed armored car firearms registration shall meet all the requirements of 12 NCAC 7D .1407.

6 *History Note: Authority G.S. 74C-3; 74C-5; 74C-13:*

7 *Eff.*  
8

1 12 NCAC 07D .1504 is proposed for adoption as follows:  
2

3 **12 NCAC 07D .1504 INVESTIGATION/ARMED ARMORED CAR SERVICE GUARD FIREARM**  
4 **REGISTRATION PERMIT**  
5

6 (a) After the administrator receives a complete application for registration, the administrator may cause to be made  
7 such further investigation of the applicant as deemed necessary.

8 (b) Any denial of an applicant for registration by the administrator shall be subject to review by the Board.  
9

10 *History Note: Authority G.S. 74C-3; 74C-5; 74C-13:*

11 *Eff.*  
12

1 12 NCAC 07D .1505 is proposed for adoption as follows:  
2

3 **12 NCAC 07D .1505 ARMED ARMORED CAR SERVICE GUARD FIREARM REGISTRATION**  
4 **PERMIT IDENTIFICATION CARDS**  
5

6 (a) The provisions of 12 NCAC 7D .1405 are hereby made to apply to armed armored car service guards.

7 (b) Upon termination of employment of an armed armored car service guard, the employer shall return the  
8 employee's registration card to the Board within 15 days of the employee's termination.  
9

10 *History Note: Authority G.S. 74C-3; 74C-5; 74C-13:*

11 *Eff.*  
12

12 NCAC 07D .1506 is proposed for adoption as follows:

**12 NCAC 07D .1506 RENEWAL OF ARMED ARMORED CAR SERVICE GUARD FIREARM  
REGISTRATION PERMIT**

(a) Each applicant for renewal of an armed armored car service guard firearm registration permit identification card or his employer shall complete a form provided by the Board. This form shall be submitted not more than 90 days nor less than 30 days prior to expiration of the applicant's current armed registration and shall be accompanied by:

(1) two head and shoulders color digital photographs of the applicant in JPG format of acceptable quality for identification, taken within six months prior to submission and submitted preferably by e-mail to PPSASL-Photos@ncdoj.gov or by compact disc;

(2) certified statement of the result of a criminal records search from the appropriate governmental authority housing criminal record information or clerk of superior court in each county where the applicant has resided within the immediately preceding 12 months, and if any address history contains an out of state address, a criminal record check from the current Board approved criminal record check provider;

(3) the applicant's renewal fee; and

(4) actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected by the Private Protective Services Board.

(b) The employer of each applicant for a registration renewal shall give the applicant a copy of the application which will serve as a record of application for renewal and shall retain a copy of the application in the individual's personnel file in the employer's office.

(c) Applications for renewal shall be accompanied by a statement signed by a certified trainer that the applicant has successfully completed the training requirements of 12 NCAC 07D .1507.

(d) Members of the armed forces whose registration is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return are granted that same extension of time to pay the registration renewal fee and to complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue must be furnished to the Board.

*History Note: Authority G.S. 74C-3; 74C-5; 74C-13:*

*Eff.*



1 12 NCAC 07D .1507 is proposed for adoption as follows:

2  
3 **12 NCAC 07D .1507 TRAINING REQUIREMENTS FOR ARMED ARMORED CAR SERVICE**  
4 **GUARDS**

5  
6 (a) Applicants for an armed armored car service guard firearm registration permit shall first complete the basic  
7 unarmed armored car service guard training course set forth in 12 NCAC 07D .1407. Private Investigator Licensees  
8 applying for an armed armored car service guard firearm registration permit shall first complete a four hour training  
9 course consisting of blocks of instruction "The Security Officer in North Carolina" and "Legal Issues for Security  
10 Officers" as set forth in 12 NCAC 07D .1407(a). Private Investigator Licensees applying for an armed armored car  
11 service guard firearm registration permit are not required to complete the following training blocks found in the  
12 basic training course referenced in 12 NCAC 07D. 1407(a): "Emergency Situations," "Department," "Armored  
13 Security Operations," and "Safe Driver Training." A Private Investigator Licensee applying for an armed armored  
14 car service guard firearm registration permit shall meet all additional training requirements set forth in 12 NCAC  
15 07D .1407 as well as the training requirements set forth in this Rule.

16 (b) Applicants for an armed armored car service guard firearm registration permit shall complete a basic training  
17 course for armed security guards which consists of at least 20 hours of classroom instruction including:

- 18 (1) legal limitations on the use of handguns and on the powers and authority of an armed security  
19 guard, including familiarity with rules and regulations relating to armed security guards (minimum  
20 of four hours);  
21 (2) handgun safety, including range firing procedures (minimum of one hour);  
22 (3) handgun operation and maintenance (minimum of three hours);  
23 (4) handgun fundamentals (minimum of eight hours); and  
24 (5) night firing (minimum of four hours).

25 (c) Applicants for an armed armored service guard firearm registration permit shall attain a score of at least 80  
26 percent accuracy on a firearms range qualification course adopted by the Board and the Attorney General, a copy of  
27 which is on file in the Director's office. Should a student fail to attain a score of 80 percent accuracy as referenced  
28 above, the student will be given an additional three attempts to qualify on the course of fire they did not pass.  
29 Failure to meet the qualification after three attempts shall require the student to repeat the entire Basic Training  
30 Course for Armed Security Guards. All additional attempts must take place within 20 days of the completion of the  
31 initial 20 hour course.

32 (d) All armed security guard training required by 12 NCAC 07D shall be administered by a certified trainer and  
33 shall be successfully completed no more than 90 days prior to the date of issuance of the armed armored car service  
34 guard firearm registration permit.

35 (e) All applicants for an armed armored car service guard firearm registration permit must obtain training under the  
36 provisions of this Section using their duty weapon and their duty ammunition or ballistic equivalent ammunition, to  
37 include lead-free ammunition that meets the same point of aim, point of impact, and felt recoil of the duty  
38 ammunition, for all weapons.

1 (f) No more than six new or renewal armed armored car service guard applicants per one instructor shall be placed  
2 on the firing line at any one time during firearms range training.

3 (g) Applicants for re-certification of an armed armored car service guard firearm registration permit shall complete  
4 a basic recertification training course for armed security guards which consists of at least four hours of classroom  
5 instruction and is a review of the requirements set forth in Paragraphs (b)(1) through (b)(5) of this Rule. The  
6 recertification course is valid for 180 days after completion of the course. Applicants for recertification of an armed  
7 armored car service guard firearm registration permit shall also complete the requirements of Paragraph (c) of this  
8 Rule.

9 (h) To be authorized to carry a standard 12 gauge shotgun in the performance of his duties as an armed armored car  
10 service guard, an applicant shall complete, in addition to the requirements of Paragraphs (a), (b) and (c) of this Rule,  
11 four hours of classroom training which shall include the following:

- 12 (1) legal limitations on the use of shotguns;  
13 (2) shotgun safety, including range firing procedures;  
14 (3) shotgun operation and maintenance; and  
15 (4) shotgun fundamentals.

16 An applicant may take the additional shotgun training at a time after the initial training in this Rule. If the shotgun  
17 training is completed at a later time, the shotgun certification shall run concurrent with the armed registration permit.

18 (i) In addition to the requirements set forth in Paragraph (h) of this Rule, applicants shall attain a score of at least 80  
19 percent accuracy on a shotgun range qualification course adopted by the Board and the Attorney General, a copy of  
20 which is on file in the Director's office.

21 (j) Applicants for shotgun recertification shall complete an additional one hour of classroom training as set forth in  
22 Paragraphs (h)(1) through (h)(4) of this Rule and shall also complete the requirements of Paragraph (i) of this Rule.

23 (k) Applicants for an armed armored car service guard firearm registration permit who possess a current firearms  
24 trainer certificate shall be given, upon their written request, a firearms registration permit that will run concurrent  
25 with the trainer certificate upon completion of an annual qualification with their duty weapons as set forth in  
26 Paragraph (c) of this Rule.

27 (l) The armed armored car service guard is required to qualify annually both day and night. If the armed armored  
28 car service guard fails to qualify on either course of fire, the guard cannot carry a firearm until such time as he or she  
29 meets the qualification requirements. Upon failure to qualify the firearm instructor must notify the armed armored  
30 car service guard that he or she is no longer authorized to carry a firearm and the Firearm Instructor must notify the  
31 employer and the Private Protective Services staff on the next business day.

32 (m) Armed armored car service guard personnel may also work as armed security guards only if they hold an  
33 unarmed or armed security guard registration.

34  
35 *History Note: Authority G.S. 74C-3; 74C-5; 74C-13:*

36 *Eff.*  
37

1 12 NCAC 07D .0902 is proposed for amendment as follows:

2  
3 **12 NCAC 07D .0902 APPLICATION FOR FIREARMS TRAINER CERTIFICATE**

4 Each applicant for a firearms trainer certificate shall submit an original and one copy of the application to  
5 the Board. The application shall be accompanied by:

- 6 (1) ~~two sets~~ one set of classifiable fingerprints on an applicant fingerprint card;
- 7 (2) ~~one recent head and shoulders color photograph of the applicant of adequate quality for~~  
8 ~~identification, one inch by one inch in size; in JPG format of acceptable quality for~~  
9 ~~identification, taken within six months prior to submission and submitted preferably by e-~~  
10 ~~mail to PPSASL-Photos@ncdoj.gov or by compact disc;~~  
11 (3) certified statement of the result of a criminal history records search ~~by~~ from the  
12 appropriate governmental authority housing criminal record information or clerk of  
13 superior court in each county where the applicant has resided within the immediate  
14 preceding 60 ~~months;~~ months, and if any address history contains an out of state address,  
15 a criminal record check from the current Board approved criminal record check provider;  
16 (4) actual cost charged to the Private Protective Services Board by the State Bureau of  
17 Investigation to cover the cost of criminal record checks performed by the State Bureau  
18 of Investigation, collected by the Private Protective Services Board;  
19 (5) the applicant's non-refundable registration fee;  
20 (6) a certificate of successful completion of the training required by 12 NCAC 07D .0901(3)  
21 and (4). This training shall have been completed within 60 days of the submission of the  
22 application; and  
23 (7) actual cost charged to the Private Protective Services Board by the North Carolina Justice  
24 Academy to cover the cost of the firearms training course given by the N.C. Justice  
25 Academy and collected by the Private Protective Services Board.

26  
27 *History Note: Authority G.S. 74C-5; 74C-13;*  
28 *Eff. June 1, 1984;*  
29 *Amended Eff. August 1, 1998; December 1, 1995; July 1, 1987; December 1, 1985;*  
30 *Temporary Amendment Eff. July 17, 2001;*  
31 *Amended Eff. August 1, 2002.*  
32

1 12 NCAC 07D .0904 is proposed for amendment as follows:

2  
3 **12 NCAC 07D .0904 RENEWAL OF A FIREARMS TRAINER CERTIFICATE**  
4

5 Each applicant for renewal of a firearms trainer certificate shall complete a renewal form provided by the  
6 Board. This form shall be submitted not less than 30 days prior to the expiration of the applicant's current  
7 certificate and shall be accompanied by:

- 8 (1) certification of the successful completion of a firearms trainer refresher course approved  
9 by the Board and the Attorney General consisting of a minimum of eight hours of  
10 classroom and practical range training in handgun and shotgun safety and maintenance,  
11 range operations, control and safety procedures, and methods of handgun and shotgun  
12 firing. This training shall be completed within 180 days of the submission of the renewal  
13 application;
- 14 (2) a certified statement of the result of a criminal records search from the appropriate  
15 governmental authority housing criminal record information or clerk of superior court in  
16 each area county where the applicant has resided within the ~~immediate~~ immediately  
17 preceding 48 months ~~or a criminal record check from a third party~~ and if any address  
18 history contains an out of state address, a criminal record check from the current Board  
19 approved criminal record check provider;
- 20 (3) the applicant's renewal fee;
- 21 (4) the actual cost charged to the Private Protective Services Board by the State Bureau of  
22 Investigation to cover the cost of criminal record checks performed by the State Bureau  
23 of Investigation, collected by the Private Protective Services Board; and
- 24 (5) Members of the armed forces whose certification is in good standing and to whom G.S.  
25 105-249.2 grants an extension of time to file a tax return are granted that same extension  
26 of time to pay the certification renewal fee and to complete any continuing education  
27 requirements prescribed by the Board. A copy of the military order or the extension  
28 approval by the Internal Revenue Service or by the North Carolina Department of  
29 Revenue must be furnished to the Board.

30  
31 *History Note: Authority G.S. 74C-5; 74C-13;*  
32 *Eff. June 1, 1984;*  
33 *Amended Eff. October 1, 2010; June 1, 2009; December 1, 1995; December 1, 1985.*

34  
35 330917

1 12 NCAC 07D .0909 is proposed for amendment as follows:

2  
3 **2 NCAC 07D .0909 UNARMED GUARD TRAINER CERTIFICATE**

4 (a) To receive an unarmed guard trainer certificate, an applicant shall meet the following requirements:

- 5 (1) comply with the requirements of 12 NCAC 07D.0703;
- 6 (2) have a minimum of one year experience in security with contract security company or
- 7 proprietary security organization, or one year experience with any federal, U.S. military,
- 8 state, county or municipal law enforcement agency;
- 9 (3) successfully complete a training course approved by the Board and the Attorney General
- 10 which shall consist of a minimum of 24 hours classroom instruction to include the
- 11 following topic areas:
- 12 (A) civil liability for the security trainer - two hours;
- 13 (B) interpersonal communications in instruction – three hours;
- 14 (C) teaching adults – four hours;
- 15 (D) principles of instruction - one hour;
- 16 (E) methods and strategies of instruction - one hour;
- 17 (F) principles of instruction: audio-visual aids - three hours; and
- 18 (G) student performance: 45 minute presentation.
- 19 (4) favorable recommendation from the employing or contracting licensee; and
- 20 (5) comply with the application process for an Unarmed Trainer Certificate as set forth in 12
- 21 NCAC 07D .0910.

22 (b) In lieu of completing the training course set forth in Subparagraph (a)(3) of this Rule, an applicant may

23 submit to the Board a Criminal Justice General Instructor Certificate from North Carolina Criminal Justice

24 Education and Training Standards Commission or any training certification that meets or exceeds the

25 requirements of Subparagraph (a)(3) of this Rule and is approved by the Director of PPS.

26 (c) An Unarmed Guard Trainer Certificate shall expire two years after the date of issuance.

27  
28 *History Note: Authority G.S. 74C-8; 74C-9; 74C-11; 74C-13;*

29 *Eff. October 1, 2004;*

30 *Amended Eff. January 1, 2008.*

1 12 NCAC 07D .0910 is proposed for amendment as follows:

2  
3 **12 NCAC 07D .0910 APPLICATION FOR AN UNARMED GUARD TRAINER**  
4 **CERTIFICATE**

5 Each applicant for an Unarmed ~~Guard~~ Trainer certificate shall submit an application to the Board. The  
6 application shall be accompanied by:

- 7 (1) the certified trainer application fee established in 12 NCAC 07D .0903(a)(2); and  
8 (2) a certificate of successful completion of the training required. This training shall have  
9 been completed within 120 days of the submission of the application or current certificate  
10 of other acceptable certification as set forth in 12 NCAC 07D .0909(b).

11  
12 *History Note: Authority G.S. 74C-8; 74C-9; 74C-11; 74C-13;*  
13 *Eff. October 1, 2004.*

14 330919

1 12 NCAC 07D .0911 is proposed for amendment as follows:  
2

3 **12 NCAC 07D .0911 RENEWAL OF AN UNARMED GUARD TRAINER CERTIFICATE**  
4

5 Each applicant for renewal of an unarmed guard trainer certificate shall complete a board renewal form.  
6 This form shall be submitted not less than 30 days prior to the expiration of the applicant's current  
7 certificate. In addition, the applicant shall include the following:

- 8 (1) the renewal fee set forth in 12 NCAC 07D .0903(a)(3);
- 9 (2) certification of a minimum of 16 hours of Board approved armed or unarmed instruction  
10 performed during the current unarmed guard trainer certification period;
- 11 (3) statement verifying the classes taught during the current unarmed guard-trainer  
12 certification period on a form prescribed by the Board; and
- 13 (4) Members of the armed forces whose certification is in good standing and to whom G.S.  
14 105-249.2 grants an extension of time to file a tax return are granted that same extension  
15 of time to pay the certification renewal fee and to complete any continuing education  
16 requirements prescribed by the Board. A copy of the military order or the extension  
17 approval by the Internal Revenue Service or by the North Carolina Department of  
18 Revenue must be furnished to the Board.

19  
20 *History Note: Authority G.S. 74C-8; 74C-9; 74C-11; 74C-13;*  
21 *Eff. August 1, 2004;*  
22 *Amended Eff. October 1, 2010; January 1, 2008.*

23 330920

1 12 NCAC 07D .1108 is proposed for repeal as follows:  
2

3 **12 NCAC 07D .1108 GRANDFATHER CLAUSE**  
4

5 *History Note:* *Authority G.S. 74C-5(2);*

6 *Eff. July 1, 1994;*

7 *Repealed Eff.*  
8

330924



1 12 NCAC 07D .0105 is proposed for amendment as follows:

2 **12 NCAC 07D .0105 UNIFORMS AND EQUIPMENT**

3 (a) No holder of a license, trainee permit, unarmed security guard registration, armed security guard registration, or  
4 firearms trainer certificate while engaged in private protective services, shall wear or display any badge, insignia,  
5 device, shield, patch or pattern which shall indicate or tend to indicate that the individual is a sworn law enforcement  
6 officer or which contains or includes the word "police" or the equivalent thereof, or is similar in wording to any law  
7 enforcement agency in the local area of the licensee's operations.

8 (b) No holder, while performing any private security service, shall have or utilize any vehicle or equipment  
9 displaying the words "law enforcement officer," "police," or the equivalent thereof, or have any sign, shield,  
10 marking, accessory or insignia that may indicate that such vehicle is a vehicle of a law enforcement agency.

11 (c) A holder who is required to wear a military style uniform while in the performance of private security services  
12 shall have:

13 (1) affixed over the left breast pocket of the uniform and on all caps or hats worn by such individual, badges or  
14 patches, distinct in design from those used by law enforcement agencies within the local area of the licensee's  
15 operations;

16 (2) affixed over the right breast pocket of the uniform a metal, plastic, or cloth tag not less than three inches  
17 nor more than five inches in length and not less than three-fourths inch nor more than one inch in height containing  
18 the words "Security Guard" or "Security Officer" in capital letters approximately one-half inch in height; and

19 (3) affixed over the "Security Guard" or "Security Officer" tag, a metal, plastic, or cloth tag bearing the name  
20 of the wearer. The name tag may be smaller than the "Security Guard" or "Security Officer" tag if the same is  
21 displayed in capital letters five-sixteenth inch to one-half inch in height.

22 (4) The wearing of the armed or unarmed private protective services card clearly visible on the outermost  
23 garment (except foul weather clothing) shall satisfy the requirements of Subparagraphs (c)(1), (2) and (3) of this  
24 Rule.

25 (d) All other holders who perform the duties of a security guard or security officer and who are not required to wear  
26 a military style uniform shall have affixed over the right or left breast pocket of the outermost garment (except for  
27 rainwear or other foul weather clothing) a tag as described in (c)(2) of this Rule, unless exempted by the  
28 Administrator.

29 ~~(e) It shall be lawful for any person licensed or registered pursuant to the provisions of this Chapter to possess and~~  
30 ~~use oleoresin capsiicum spray, provided they are on duty and have received a four hour training course that has been~~  
31 ~~approved by the Board and is consistent with the training standards prescribed by the Board.~~

32 *History Note: Authority G.S. 74C-5; 74C-15;*  
33 *Eff. June 1, 1984;*  
34 *Amended Eff. July 1, 1995; July 1, 1987.*

35 330905